GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

ENDOWMENTS DEPARTMENT – The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Alienation of Immovable Property Rules, 1987 – Amendment – Final Notification – Orders - Issued.

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REVENUE (ENDOWMENTS-I) DEAPRTMENT

G.O.MS.No. 424 **Dated:09 -11-2015.**
Read the following :-

1) G.O. Ms.No.644, Rev. (Endt.I) Dept., dt.30-6-1988.
2) G.O. Ms.No.342, Rev. (Endt.I) Dept., dt.10-09-2015.
3) Suggestions from R.J.C. Endt. Dept., Rajahmundry letter dt. 3-10-2015.

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O R D E R:

Whereas, in the G.O.2nd read above, Government have issued the Preliminary notification for amending the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Alienation of Immovable Property Rules, 1987**;**

And whereas, in the reference 3rd read above certain suggestions have been received;

Now, therefore, the Government after careful examination, have decided to issue final Notification in the matter;

Accordingly, the following notification will be published in an extraordinary issue of the Andhra Pradesh Gazette Dated 12-11-2015.

FINAL NOTIFICATION

In exercise of the powers conferred by sections 72,73,74 and 80 read with section 153 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Andhra Pradesh Act No.30 of 1987), the Government of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Alienation of Immovable Property Rules, 1987, issued in G.O.Ms.No.644, Revenue (Endt.I) Department, dt.30-6-1988 and the same having been previously issued in G.O.Ms.No.342, Revenue (Endt.I) Department, dt.10-09-2015 and published in Part –I, Extraordinary, Andhra Pradesh Gazette No.235, dt.15-09-2015 as required under Sub-Section (1) of Section 153 of the said Act.

AMENDMENTS

1. In Rule 6 of the said Rules, immediately after completion of words "**tender-cum- public auction"**, the following words shall be **inserted** namely:-

or by 'E' Tender – cum - 'E' auction or 'E' tender or 'E' auction.

(p.t.o.)

2. In Rule 7 of the said Rules, immediately after completion of Rule 7 the following words as paragraph shall be **added** namely:-

The 'E' tenders shall be opened lastly i.e., after Public Auction and opening of regular tenders.

3. (A) In Rule 14 of the said Rules, the already existed Rule shall be numbered as Rule 14 (1).

(B) Immediately after completion of the Rule 14 (1), the following Sub-Rule shall be **added** as Sub-Rule (2) to Rule 14 namely:-

(2) Notwithstanding anything in these Rules and any other Rules, the highest bidder in Public Auction shall deposit the entire sale proceeds with the executive authorities within 90 days from the date of public auction. In case of sale of land otherwise than by way of public auction, the purchaser shall deposit entire sale proceeds with the executive authorities within 90 days from the date of issuance of alienation orders. Otherwise the sale/ Alienation shall be deemed to be void and whatever the amount that was deposited already including the part payment will be forfeited in favour of the Institution or Endowment. The executive authority shall not give any further notice to the defaulting bidder or the purchaser and need not seek permission again from any higher authority for conducting fresh auction. In all such cases, the executive authority shall re-auction immediately without further notice. In all cases of sale or Alienation of Immovable Properties of Endowment institutions' prompt and timely payment is the essence of the contract and such purchaser is estopped to challenge non-extension of time under any circumstances.

4. Immediately after completion of Rule 17, the following new Rule 18 shall be **added** namely:-

18.Prohibition of sales and appropriation in certain cases:

Notwithstanding anything in these rules and other rules for the time being in force –

(1) no land belonging to a Temple or Math can be alienated to anyone on a permanent basis hereafter. For the lands already sold, alienated, with whatever nomenclature it may, Rule 14 is applicable.

(2) where the object of a Charitable institution or endowment became obsolete, not necessary for the present day conditions and defunct, such institutions properties may be sold out in public auction and the said proceeds shall be credited to the corpus of Andhra Pradesh Hindu Dharma Parirakshana Trust. Only 75 percent of the interest amount so realized from the said corpus fund shall be utilized for promoting Hindu Dharma Prachara activities prescribed in Sub-Section (1) of Section 72 of the Act.

(...3.)

5. Immediately after completion of Rule 18, the following new Rule 19 shall be **added** namely:-

19. Residue:- If any of these Rules, if lying inconsistent with the provisions of the Act, being amended from time to time, will not over ride but will only be supplemental to the Act. For that purpose, the Rule shall be ignored as if non est to that extent.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V.PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Endowments Department, Andhra Pradesh,
Hyderabad.
The Commissioner, Printing, Stationary and Stores Purchase,
Hyderabad (For Publishing the notification in the next issue of
Andhra Pradesh Gazette. He is requested to supply 50 copies to Government and 50 copies to the Commissioner, Endowments, Andhra Pradesh
Hyderabad).
Copy to:
The P.S. to Minister (Endowments).
The Revenue (Endts.II, III) Department.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER